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Attorney for Plaintiff
RICHARD SKAFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD SKAFF

CASE NO. C 08-01384 MHP
Civil Rights

Plaintiff,

v.

SHELTER POINT EQUITIES, LTD;
ROBATA GRILL
AND SUSHI LIMITED
PARTNERSHIP; and DOES 1-25,
Inclusive,

**STIPULATION AND ORDER
FOR DISMISSAL**

FRCP section 41 (a) (1) (ii)

Defendants.

Plaintiff Richard Skaff and defendants Shelter Point Equities, LTD and Robata Grill
And Sushi Limited Partnership, by and through their attorneys of record, file this Stipulation of
Dismissal pursuant to Federal Rule of Civil Procedure section 41 (a) (1) (ii).

Plaintiff filed this lawsuit on March 11, 2008.

Plaintiff and defendants have entered into a "Release And Settlement Agreement For
Injunctive Relief Only" and subsequently have entered into a "Release And Settlement
Agreement." The two Releases And Settlement Agreements settle all aspects of the lawsuit
against all defendants. A copy of the "Release And Settlement Agreement For Injunctive Relief
Only" and "Release And Settlement Agreement" are each incorporated by reference herein as
if set forth in full. Plaintiff and defendants stipulate to the court retaining jurisdiction to
enforce the "Release And Settlement Agreement For Injunctive Relief Only" and the "Release
And Settlement Agreement."

Plaintiff moves to dismiss with prejudice the lawsuit against defendants.

Defendants, who have answered the Complaint, agree to the dismissal with prejudice.

This case is not a class action, and no receiver has been appointed.

This Stipulation and Order may be signed in counterparts, and electronic and facsimile signatures shall be as valid and as binding as original signatures.

Wherefore, plaintiff and defendants, by and through their attorneys of record, so stipulate.

Date: 2/9/09

SIDNEY J. COHEN
PROFESSIONAL CORPORATION

/s/ Sidney J. Cohen

Sidney J. Cohen
Attorney for Plaintiff Richard Skaff

Date: 2/9/09

FLAXMAN & BLAKELY

/s/ Peter Flaxman

Peter Flaxman
Attorney for Defendant
Shelter Point Equities, LTD

Date: 2/9/09

LIPPENBERGER, THOMPSON,
WELCH, SOROKO, & GILBERT LLP

/s/ Carl Lippenberger

Carl Lippenberger
Attorney for Defendant
Robata Grill and Sushi Limited Partnership

PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

The lawsuit against defendants is dismissed with prejudice. The Court shall retain jurisdiction to enforce the parties' "Release And Settlement Agreement For Injunctive Relief Only" and "Release And Settlement Agreement."

Date: 2/12/2009

